

AN ACT  
**D.C. ACT 21-675**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
**FEBRUARY 15, 2017**

To designate an official fish of the District of Columbia, to designate an official amphipod of the District of Columbia, to require the Mayor to designate and regulate critical areas for environmental protection, to require the Mayor to issue regulations requiring shoreline protection measures, to require the Mayor to issue regulations that list invasive plants and nonindigenous nuisance species, to prohibit certain activities relating to invasive plants and nonindigenous nuisance species listed by the Mayor, to authorize the Mayor to issue authorizations to covered establishments to sell fishing licenses and licensure endorsements for recreational fishing in District waters, to authorize the Mayor to authorize and license the possession, transport, and use of certain implements for the capture or killing of fish, and to authorize the Mayor to issue a fish consumption advisory; to amend the Water Pollution Control Act of 1984 to authorize the Mayor to manage fishing seasons by administrative orders and to establish a Fishing License Fund; to amend the Department of Energy and Environment Establishment Act of 2005 to expand the duties of the Department of Energy and Environment ("DOEE") and the Director of the DOEE, and to designate the Director of the DOEE as the District's natural resources trustee; to amend An Act To revise and modernize the fish and game laws of the District of Columbia, and for other purposes to expand protection for amphibians and invertebrates; and to amend Office of Administrative Hearings Establishment Act of 2001 to authorize the Office of Administrative Hearings to adjudicate cases involving the modification, suspension, revocation, or denial of certain permits and authorizations issued under this act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fisheries and Wildlife Omnibus Amendment Act of 2016".

TITLE I. NATURAL RESOURCES EDUCATION

Sec. 101. Official fish of the District of Columbia.

(a) The American shad (*Alosa sapidissima*) is an anadromous species of game fish native to the eastern United States and Canada. Spending much of their lives at sea, American shad leave the ocean to find river systems and migrate, or "run," upstream into freshwater environments to spawn in their birthplaces, including the Potomac River.

(b) Once abundant in the Potomac River watershed and considered one of the most valuable commercial fisheries in the United States, the American shad has experienced species-threatening declines throughout the entirety of its native range. A combination of factors have

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contributed to these declines, such as overfishing, degraded water quality, the recovery of shad predator species, the closing of historic shad spawning waters, and the building of dams for hydroelectric power.

(c) In response to American shad population declines, the District and others, beginning in 2005, undertook restoration activities, including education, reopening fish passages, manual spawning, chemical marking, stocking, and identification. Since restoration efforts began, more than 10 miles of closed spawning surface waters have been opened and more than 10 million American shad hatchlings have been manually spawned and released.

(d) In 2011, the Potomac River Fisheries Commission reported that American shad population targets for the Potomac River established by the Atlantic States Marine Fisheries Commission have been met and that the American shad population for the Potomac River had recovered. The District will continue its restoration efforts to ensure the future of the species.

(e) The American shad (*Alosa sapidissima*) is hereby designated the official fish of the District of Columbia.

### Sec. 102. Official amphipod of the District of Columbia.

(a) The Hay's Spring amphipod (*Stygobromus hayi*) is a federally-endangered, globally-rare species of crustacean that is native to, and found only in, a few springs within the District's portion of the Rock Creek watershed.

(b) Spending most of its life underground, the Hay's Spring amphipod lives in groundwater seeps.

(c) The Hay's Spring amphipod measures 5-10 millimeters in length, and is colorless and blind because it lives underground.

(d) The species is highly sensitive to groundwater contaminants and is therefore a strong indicator of the health of the District's natural ecosystems, especially Rock Creek and Rock Creek Park.

(e) The Hay's Spring amphipod (*Stygobromus hayi*) is hereby designated the official amphipod of the District of Columbia.

## TITLE II. NATURAL RESOURCES CONSERVATION

### Sec. 201. Definitions.

For the purposes of this title, the term:

(1) "Critical aquifer recharge areas" means areas with a critical recharging effect on aquifers, including areas where an aquifer that is a source of drinking water is vulnerable to contamination that would affect the potability of water or is susceptible to reduced recharge.

(2) "Critical areas" include the following areas and ecosystems:

- (A) Areas containing species of local importance;
- (B) Critical aquifer recharge areas;
- (C) Fish and wildlife habitat conservation areas;
- (D) Frequently-flooded areas; and
- (E) Wetlands.

(3)(A) "District waters" means flowing and still bodies of water in the District, whether artificial or natural, whether underground or on land.

(B) "District waters" shall not include:

(i) Water on private property that is prevented from reaching underground or land watercourses; and

(ii) Water in closed collection or distribution systems.

(4) "Fish and wildlife habitat conservation areas" means areas that serve a critical role in sustaining needed habitats and species for the functional integrity of the ecosystem and which, if altered, may reduce the likelihood that species will persist over the long term.

(5) "Frequently-flooded areas" means lands either in the floodplain subject to a 1% or greater chance of flooding in any given year or within areas subject to flooding due to high groundwater.

(6) "Invasive plant" means a terrestrial or aquatic plant species that:

(A) Is not indigenous to the District or District waters; and

(B) If introduced or allowed to spread within the District, will cause or is likely to cause economic harm, ecological harm, environmental harm, or harm to human health.

(7) "Living shoreline project" means shoreline protection measures that use non-structural stabilization practices to control shore erosion by trapping sediment, filtering pollution, and providing important aquatic and terrestrial habitat.

(8) "Natural resources" means the land, air, water, minerals, flora, and fauna in the District and District waters.

(9) "Nonindigenous nuisance species" means a terrestrial or aquatic animal species that does not naturally occur in the District and whose presence in the District or in District waters poses or is likely to pose a significant threat of harm to:

(A) The diversity or abundance of any species indigenous to the District or District waters;

(B) The ecological stability of District lands or District waters; or

(C) The commercial, industrial, public, recreational, aquacultural, or other beneficial uses of the District or District waters.

(10) "Person" means any individual, partnership, corporation (including a government corporation), trust association, firm, joint stock company, organization, commission, the District or federal government, or any other entity.

(11) "Shoreline protection measures" means coastal engineering activities that reduce the risk of flooding, erosion, or inundation of land and structures.

(12) "Species of local importance" means those plant and animal species that are:

(A) Of concern in the District due to their population status, emerging threats to their population status, or their sensitivity to habitat alteration; or

(B) Game species.

(13) "Wetlands" means a marsh, swamp, or other area that is:

(A) Periodically inundated by tides or having saturated soil conditions for prolonged periods of time; and

(B) Capable of supporting aquatic vegetation.

Sec. 202. Critical areas.

The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to:

- (1) Designate critical areas for protection within the District; and
- (2) Protect, conserve, or enhance the environmental function and value of the critical areas designated pursuant to paragraph (1) of this section.

Sec. 203. Shoreline protection.

The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to require shoreline protection measures, which shall, to the maximum extent possible, promote the use of living shoreline projects.

Sec. 204. Invasive plants and nonindigenous nuisance species.

(a) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to list invasive plants and nonindigenous nuisance species; provided, that the Mayor shall not list the species *Felis catus* as a nonindigenous nuisance species.

(b) Except as provided in section 207, no person shall knowingly import, transport, offer for sale, sell, purchase, give, receive, plant, spread, or introduce into the District or District waters any invasive plant listed pursuant to subsection (a) of this section.

(c) Except as provided in section 207, no person shall knowingly possess, import, transport, offer for sale, sell, purchase, give, receive, breed, or introduce into the District or District waters an animal belonging to a nonindigenous nuisance species listed pursuant to subsection (a) of this section.

(d) It shall not be a violation of subsection (b) or (c) of this section to possess, import, transport, offer for sale, sell, purchase, give, receive, or introduce into the District:

- (1) An invasive plant listed pursuant to subsection (a) of this section if it is dead and no longer capable of growth and reproduction;
- (2) An animal belonging to a nonindigenous nuisance species listed pursuant to subsection (a) of this section if it is dead or no longer capable of reproduction; or
- (3) An animal belonging to a nonindigenous nuisance species listed pursuant to subsection (a) of this section that is domesticated.

Sec. 205. Entry and inspection.

(a) To ensure compliance with this title, the Mayor may, at any reasonable time and upon the presentation of appropriate credentials to, and with the consent of, the owner, operator, or person in charge:

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(1) Enter any place to determine a person's compliance with this title or regulations promulgated pursuant to this title; and

(2) Inspect and copy any record, report, or other document or information related to compliance with this title or regulations promulgated pursuant to this title.

(b) If the Mayor is denied access to enter or inspect and copy records pursuant to subsection (a) of this section, the Mayor may apply to the Superior Court for the District of Columbia for a search warrant.

### Sec. 206. Enforcement and penalties.

(a) The Mayor may impose civil infraction penalties, fines, and fees as sanctions for any violation of this title or regulations promulgated pursuant to this title, pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).

(b) In addition to any penalties authorized by this section, the Mayor may require reimbursement for the costs of investigation, control, and eradication incurred by the District as a result of a violation of this title or regulations promulgated pursuant to this title.

(c) The Attorney General for the District of Columbia may commence appropriate civil action in the Superior Court of the District of Columbia or any other court of competent jurisdiction for damages, cost recovery, reasonable attorney and expert witness fees, and injunctive or other appropriate relief to enforce compliance with this title or regulations promulgated pursuant to this title.

### Sec. 207. Exception for research.

(a) Notwithstanding section 204(b) and (c), the Mayor may issue a permit to allow the importation, possession, purchase, gift, receipt, transportation, planting, or breeding of an invasive plant or a nonindigenous nuisance species listed pursuant to section 204(a) in the District for research by a recognized institution or government agency upon determining that adequate safeguards will be implemented and maintained to prevent the release, escape, or introduction of any such invasive plant or nonindigenous nuisance species into the District or District waters.

(b) The Mayor may modify, suspend, revoke, or deny a permit issued under this section for failure to comply with any conditions associated with the issuance of the permit, this title, or regulations promulgated pursuant to this title.

(c) A person aggrieved by an action of the Mayor taken pursuant to this section may appeal the action of the Mayor to the Office of Administrative Hearings pursuant to section 6(a) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03(a)).

Sec. 208. Rules.

The Mayor, pursuant to the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this title, including rules to establish fees.

TITLE III. FISHING

SUBTITLE A. AUTHORIZING FISHING LICENSURE BY PRIVATE ENTITIES

Sec. 301. Definitions.

For the purposes of this subtitle, the term:

(1) "Covered establishment" means a business, nonprofit enterprise, or nonprofit institution that does not have as its primary or sole business the sale of licenses for recreational fishing in District waters.

(2)(A) "District waters" means flowing and still bodies of water in the District, whether artificial or natural, whether underground or on land.

(B) "District waters" shall not include:

(i) Water on private property prevented from reaching underground or land watercourses; and

(ii) Water in closed collection or distribution systems.

(3) "Recreational fishing" means the non-commercial taking or attempted taking of finfish for personal use, sport, or pleasure, which are not for sale, trade, or barter.

(4) "Substantial change in ownership" means a transfer of 10% or more in the equity of or financial interest in a covered establishment.

Sec. 302. Fishing licensure by covered establishments.

(a) The Mayor may sell licenses and licensure endorsements for recreational fishing in District waters.

(b) The Mayor may authorize a covered establishment to sell licenses and licensure endorsements for recreational fishing in District waters; provided, that the covered establishment:

(1) Designates and provides contact information for an agent to receive communication and notices from the Mayor;

(2) Operates a lawful establishment that is open to the public and maintains regular business hours;

(3) Demonstrates the ability to efficiently maintain an operation to sell licenses and licensure endorsements for recreational fishing in District waters;

(4) Demonstrates financial stability and responsibility;

(5) Provides a physically secure and readily-accessible location in an area where the public may obtain licenses and licensure endorsements for recreational fishing in District waters; and

(6) Employs sufficient personnel to efficiently accommodate purchasers of licenses and licensure endorsements for recreational fishing in District waters.

(c) In determining whether the covered establishment meets the requirements set forth in subsection (b) of this section, the Mayor may consider business performance records, business practices, financial resources, record of indebtedness, and other factors relating to financial reliability of the covered establishment, including:

(1) The location at which the covered establishment intends to sell licenses and licensure endorsements for recreational fishing in District waters, including the covered establishment's proximity to other sellers of licenses and licensure endorsements for recreational fishing in District waters;

(2) The number of customers who frequent the location;

(3) The volume of sales at the location; and

(4) The days and hours of operation.

(d) The Mayor shall develop an application for a covered establishment to obtain authorization pursuant to subsection (b) of this section. An owner, partner, director, or officer authorized to bind the covered establishment may complete and file the application on behalf of the covered establishment.

(e) The Mayor may develop criteria and an application for renewal of a covered establishment's authorization to sell licenses and licensure endorsements for recreational fishing in District waters. If the Mayor denies a renewal application, the covered establishment may submit an application pursuant to subsection (d) of this section to obtain authorization to sell licenses and licensure endorsements for recreational fishing in the District waters.

(f) Authorizations to sell licenses and licensure endorsements for recreational fishing in District waters shall be:

(1) Issued in the name of the covered establishment; and

(2) Valid for a period to be determined by the Mayor and shall expire at midnight of the last day of the period determined by the Mayor.

(g) Any covered establishment authorized under subsection (b) of this section shall:

(1) Accurately and promptly report transactions and sales as required by the Mayor;

(2) Make all financial settlements and payments promptly; and

(3) Hold in trust all monies received from the sale of fishing licenses, until such monies are transferred to the Mayor.

(h) The Mayor may, by regulation, require a covered entity that applies for authorization or renewal of authorization pursuant to subsection (b) or (d) of this section to pay an application fee, and may prorate such fees or costs based on the period of the authorization.

(i) Upon expiration of an authorization, a covered establishment shall cease selling licenses and licensure endorsements for recreational fishing in District waters, unless and until the covered establishment's authorization is renewed or reissued.

### Sec. 303. Denial, revocation, or suspension of authorization.

(a) The Mayor may deny, revoke, or suspend an authorization issued pursuant to section 302, after notice and opportunity for a hearing pursuant to section 305, for the following reasons:

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(1) An owner, partner, director, officer, or the agent designated pursuant to section 302(b)(1) of the covered establishment has been convicted of, or pleaded guilty to, a felony;

(2) The covered establishment included false or misleading information on its application;

(3) The covered establishment is not authorized or licensed to operate or conduct business in the District;

(4) The covered establishment fails to notify the Mayor within 45 days in advance of a material change in information, including a substantial change in ownership, change of address, or a significant change in operations;

(5) The covered establishment fails to take security precautions as required by the Mayor in rules issued pursuant to section 306 regarding the handling of any licenses or licensure equipment;

(6) The covered establishment fails to comply with the requirements of this subtitle or any other laws or regulations applicable to the conduct of its operations; or

(7) The covered establishment becomes insolvent or dissolves.

(b) The Mayor, in the event of a denial, revocation, or suspension of an authorization pursuant to subsection (a) of this section, shall provide notice, which shall include the reason for the denial, revocation, or suspension and shall notify the covered establishment of its right to contest the denial, revocation, or suspension at a hearing pursuant to section 305.

(c) Upon notifying a covered establishment of the denial, revocation, or suspension of its authorization pursuant to subsection (a) of this section, the Mayor may require the covered establishment to:

(1) Cease the sale of licenses and licensure endorsements for recreational fishing in District waters;

(2) Render an accounting by the date specified on the notice; or

(3) Surrender licensure equipment and any other District property to the District by the date specified on the notice.

**Sec. 304. Voluntary cessation of sales.**

(a) An authorized covered establishment shall notify the Mayor, in writing, at least 30 days in advance of the covered establishment's intent to voluntarily stop selling licenses and licensure endorsements for recreational fishing in District waters pursuant to its authorization issued under section 302(b).

(b) Within 7 days of voluntarily stopping the sale of licenses and licensure endorsements for recreational fishing in District waters, a covered establishment shall return any District property related to the covered establishment's authorization issued under section 302(b).

**Sec. 305. Administrative appeals.**

A covered establishment aggrieved by an action of the Mayor taken pursuant to this subtitle, or regulations promulgated pursuant to this subtitle, may appeal the action to the Office

of Administrative Hearings pursuant to section 6(a) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03(a)).

Sec. 306. Rules; enforcement.

(a) The Mayor, pursuant to the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this subtitle.

(b) The Attorney General for the District of Columbia may commence appropriate civil action in the Superior Court of the District of Columbia or any other court of competent jurisdiction for damages, reasonable attorney and expert witness fees, and injunctive or other appropriate relief to enforce compliance with this subtitle or regulations promulgated pursuant to this subtitle.

SUBTITLE B. ESTABLISHING AND CLARIFYING FISHING AUTHORITIES

Sec. 311. Allowable fishing gear types.

(a) Notwithstanding any other law, the Mayor may authorize and license the possession, transport, and use of bows, arrows, spears, and other implements for the capture or killing of any fish.

(b) No person shall possess, transport, or use an implement authorized under this section, unless a license issued pursuant to subsection (a) of this section is in the licensee's physical possession when the licensee is possessing, transporting, or using the implement.

(c) The Mayor may impose civil infraction penalties, fines, and fees for a violation of this section or regulations promulgated pursuant to this section, pursuant to the procedures of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).

(d) The Department of Energy and Environment may enter into an agreement with any federal or District agency to work cooperatively on enforcement of this section or a regulation promulgated pursuant to this section.

(e) The Mayor, pursuant to the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this subtitle.

Sec. 312. Fish consumption advisory.

The Mayor may publish, based on scientific analysis of the composition of fish tissue and other scientific indicators, an advisory recommending the safest means of consuming fish captured in the District's waterways and any recommended consumption limits.

Sec. 313. The Water Pollution Control Act of 1984, effective March 16, 1985 (D.C. Law 5-188; D.C. Official Code § 8-103.01 *et seq.*), is amended as follows:

(a) Section 4(b) (D.C. Official Code § 8-103.03(b)) is amended as follows:

(1) Paragraph (2) is amended to read as follows:

“(2) No person shall hunt, fish, capture, intentionally harm or attempt to hunt, fish, capture, or intentionally harm fish in District waters, except while in physical possession of a license issued by the Mayor. The Mayor may establish and modify, through administrative orders, the seasons, methods, species, and allowable volume of take for fishing; provided, that if the Mayor issues an administrative order pursuant to this paragraph, the Mayor, pursuant to the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall first issue rules outlining how the administrative orders will be made public, which shall include a website where the public may access up-to-date information about seasons, methods, species, and volume of take authorized pursuant to this section.”.

(2) Paragraph (3) is repealed.

(b) A new section 4a is added to read as follows:

“Sec. 4b. Fishing License Fund.

“(a) There is established as a special fund the Fishing License Fund (“Fund”), which shall be administered by the Mayor in accordance with subsection (c) of this section.

“(b) Proceeds from the sale of fishing licenses or licensure endorsements, including proceeds collected pursuant to Subtitle A of Title III of the Fisheries and Wildlife Omnibus Amendment Act of 2016, passed on 2nd reading on December 6, 2016 (Enrolled version of Bill 21-386), shall be deposited into the Fund.

“(c) Monies deposited into the Fund shall be used solely for the administration and management of the District's fish and wildlife resources by the agency responsible for protecting and managing those resources.

“(d)(1) The money deposited into the Fund shall not revert to the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

“(2) Subject to authorization in an approved budget and fiscal plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

(c) Section 19(b)(2)(A) (D.C. Official Code § 8-103.18(b)(2)(A)) is amended by striking the phrase “\$50,000 for each violation” and inserting the phrase “\$50,000 for each violation; provided, that the Mayor may adjust this civil penalty by rulemaking to account for inflation” in its place.

#### TITLE IV. ENVIRONMENT

##### SUBTITLE A. NATURAL RESOURCE PROTECTION

Sec. 401. The Department of Energy and Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01 *et seq.*), is amended as follows:

(a) Section 106(2) (D.C. Official Code § 8-151.06(2)) is amended by striking the phrase “such as initiatives” and inserting the phrase “such as an aquatic resources education program, experiential learning activities that promote understanding and conservation of natural resources, and initiatives” in its place.

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(b) Section 107 (D.C. Official Code § 8-151.07) is amended as follows:

(1) Paragraph (11) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(2) Paragraph (12) is amended by striking the period and inserting the phrase “; and” in its place.

(3) A new paragraph (13) is added to read as follows:

“(13) Plan, design, implement, construct, and maintain projects to protect, restore, and enhance the environment.”.

(c) Section 108 (D.C. Official Code § 8-151.08) is amended as follows:

(1) Paragraph (2) is amended by striking the phrase “natural resources policy and make” and inserting the phrase “natural resources policy, planning, and implementation, and making” in its place

(2) Paragraph (5) is amended by striking the phrase “protect the environment and to promote environmental awareness” and inserting the phrase “protect and enhance the environment and natural resources, to promote environmental awareness, and to enforce the District’s environmental and natural resource laws” in its place.

(3) Paragraph (6) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(4) Paragraph (7) is amended by striking the period and inserting the phrase “; and” in its place.

(5) A new paragraph (8) is added to read as follows:

“(8) Serve as the trustee for natural resources for the District.”.

### SUBTITLE B. EXPANDING PROTECTION FOR AMPHIBIANS AND INVERTEBRATES

Sec. 411. Section 1 of An Act To revise and modernize the fish and game laws of the District of Columbia, and for other purposes, approved August 23, 1958 (72 Stat. 814; D.C. Official Code § 22-4328), is amended by striking the phrase “As used in this section the term “wild animals” includes, without limitation, mammals, birds, fish, and reptiles not ordinarily domesticated.” and inserting the phrase “As used in this section the term “wild animals” includes not-ordinarily-domesticated mammals, birds, fish, amphibians, invertebrates, and reptiles.” in its place.

### TITLE V. CONFORMING AMENDMENT

Sec. 501. Section 6 of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03), is amended by adding a new subsection (b-11) to read as follows:

“(b-11) In addition to those cases described in subsections (a), (b), (b-1), (b-2), (b-3), (b-4), (b-5), (b-6), (b-7), (b-8), (b-9), and (b-10), this act shall apply to all adjudicated cases involving the modification, suspension, revocation, or denial of a permit issued under section 207 of the Fisheries and Wildlife Omnibus Amendment Act of 2016, passed on 2nd reading on

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December 6, 2016 (Enrolled version of Bill 21-386), and all adjudicated cases involving the denial, revocation, or suspension of an authorization under section 303 of the Fisheries and Wildlife Omnibus Amendment Act of 2016, passed on 2nd reading on December 6, 2016 (Enrolled version of Bill 21-386).”.

**TITLE VI. CONSTRUCTION; FISCAL IMPACT STATEMENT; EFFECTIVE DATE**

**Sec. 601. Construction.**

Nothing in this act shall be construed to affect an action or proceeding commenced before the effective date of this act.

**Sec. 602. Fiscal impact statement.**

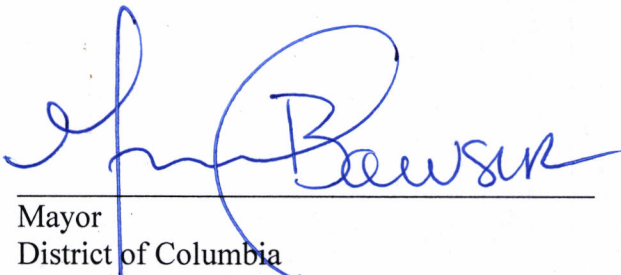
The Council adopts the fiscal impact statement contained in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

**Sec. 603. Effective date.**

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(2), and publication in the District of Columbia Register.



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia

APPROVED  
February 15, 2017



**COUNCIL OF THE DISTRICT OF COLUMBIA  
WASHINGTON, D.C. 20004**

Docket No. **B21-386**

☒ ITEM ON CONSENT CALENDAR

☒ ACTION & DATE

**ADOPTED FIRST READING, 11/15/2016**

☒ VOICE VOTE

RECORDED VOTE ON REQUEST

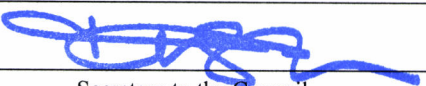
**APPROVED**

ABSENT

☐ ROLL CALL VOTE – Result

| Councilmember     | Aye | Nay | NV | AB | Councilmember | Aye | Nay | NV | AB | Councilmember            | Aye | Nay | NV | AB |
|-------------------|-----|-----|----|----|---------------|-----|-----|----|----|--------------------------|-----|-----|----|----|
| Chmn. Mendelson   | X   |     |    |    | Evans         | X   |     |    |    | Silverman                | X   |     |    |    |
| Alexander         | X   |     |    |    | Grosso        | X   |     |    |    | Todd                     | X   |     |    |    |
| Allen             | X   |     |    |    | May           | X   |     |    |    | White                    | X   |     |    |    |
| Bonds             | X   |     |    |    | McDuffie      | X   |     |    |    |                          |     |     |    |    |
| Cheh              | X   |     |    |    | Nadeau        | X   |     |    |    |                          |     |     |    |    |
| X – Indicate Vote |     |     |    |    | AB – Absent   |     |     |    |    | NV – Present, Not Voting |     |     |    |    |

CERTIFICATION RECORD

  
Secretary to the Council

11/13/2017  
Date

☐ ITEM ON CONSENT CALENDAR

☒ ACTION & DATE

**ADOPTED FINAL READING, 12/06/2016**

☒ VOICE VOTE

RECORDED VOTE ON REQUEST

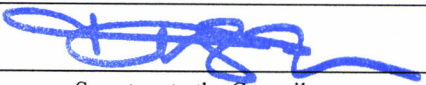
**APPROVED**

ABSENT

☐ ROLL CALL VOTE – Result

| Councilmember     | Aye | Nay | NV | AB | Councilmember | Aye | Nay | NV | AB | Councilmember            | Aye | Nay | NV | AB |
|-------------------|-----|-----|----|----|---------------|-----|-----|----|----|--------------------------|-----|-----|----|----|
| Chmn. Mendelson   | X   |     |    |    | Evans         | X   |     |    |    | Silverman                | X   |     |    |    |
| Alexander         | X   |     |    |    | Grosso        | X   |     |    |    | Todd                     | X   |     |    |    |
| Allen             | X   |     |    |    | May           | X   |     |    |    | White                    | X   |     |    |    |
| Bonds             | X   |     |    |    | McDuffie      | X   |     |    |    |                          |     |     |    |    |
| Cheh              | X   |     |    |    | Nadeau        | X   |     |    |    |                          |     |     |    |    |
| X – Indicate Vote |     |     |    |    | AB – Absent   |     |     |    |    | NV – Present, Not Voting |     |     |    |    |

CERTIFICATION RECORD

  
Secretary to the Council

11/13/2017  
Date

☐ ITEM ON CONSENT CALENDAR

☐ ACTION & DATE

☐ VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

☐ ROLL CALL VOTE – Result

| Councilmember     | Aye | Nay | NV | AB | Councilmember | Aye | Nay | NV | AB | Councilmember            | Aye | Nay | NV | AB |
|-------------------|-----|-----|----|----|---------------|-----|-----|----|----|--------------------------|-----|-----|----|----|
| Chmn. Mendelson   |     |     |    |    | Evans         |     |     |    |    | Silverman                |     |     |    |    |
| Alexander         |     |     |    |    | Grosso        |     |     |    |    | Todd                     |     |     |    |    |
| Allen             |     |     |    |    | May           |     |     |    |    | White                    |     |     |    |    |
| Bonds             |     |     |    |    | McDuffie      |     |     |    |    |                          |     |     |    |    |
| Cheh              |     |     |    |    | Nadeau        |     |     |    |    |                          |     |     |    |    |
| X – Indicate Vote |     |     |    |    | AB – Absent   |     |     |    |    | NV – Present, Not Voting |     |     |    |    |

CERTIFICATION RECORD

Secretary to the Council

Date